

**Draft Summary of the Environmental Work Group Meeting  
Oroville Facilities Relicensing (FERC Project No. 2100)  
November 28, 2001**

The Department of Water Resources (DWR) hosted the Environmental Work Group meeting on November 28, 2001 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary of the discussion for information purposes to interested parties who could not attend the meeting. The following are attachments to this summary:

- Attachment 1: Meeting agenda
- Attachment 2: Meeting attendees
- Attachment 3: Flip chart notes
- Attachment 4: Overall Study Plan Review
- Attachment 5: Study Plans Reviewed

**Introduction**

Attendees were welcomed to the Environmental Work Group meeting and objectives were discussed. The meeting agenda and list of meeting attendees with their affiliations are appended to this summary as Attachments 1 and 2, respectively. Flip chart notes taken during the meeting are included as Attachment 3.

**Action Items – September 26, 2001 Environmental Work Group Meeting**

A summary of the September 26, 2001 Environmental Work Group meeting is posted on the project web site. The Facilitator reviewed the status of action items from that meeting as follows:

- Action Item #E39 –** Develop draft cumulative effects study plan for Environmental Work Group Review.
- Status:** Wayne Dyok with the consulting team reported that a meeting was held on October 25 where FWS proposed its approach to the cumulative effects study plan. DWR is revising that proposal to address some of its concerns. DWR anticipates at least one more meeting with the fishery agencies to further discussion and to develop the cumulative effects study plan.
- Action Item #E40 –** Brief FWS ESA staff on Oroville Facilities operations and hydropower production.
- Status:** Curtis Creel of DWR did a presentation for FWS, NMFS and DFG staff on how the Oroville project is operated on October 25.
- Action Item #E41 –** Distribute coordinating linkage document prepared by the Engineering and Operations Work Group to the Environmental Work Group
- Status:** The linkage document is being revised and should be available for the Dec 11<sup>th</sup> Plenary Group meeting
- Action Item #E42-** Draft Study Plans for Environmental Work Group review
- Status:** Draft Study Plans were distributed to Work Group participants prior to the meeting. The participants will discuss the plans at this meeting.
- Action Item #E43 –** Include Mokelumne River relicensing studies with the Environmental Work Group summary and provide link at the Oroville Facilities relicensing web site to Southern California Edison's Big Creak relicensing web site.

**Status:** Still working on getting Website links established. The SCE's Website has been down.

### **Cumulative Effects Study Plan**

Wayne Dyok with the consulting team gave a presentation on the overall study plan review process. The presentation is included as Attachment 4.

Tim Welch with FERC asked if only completed study plans were going to be presented on Dec 11<sup>th</sup>. Wayne responded that they would provide only the study plans that the Work Group is comfortable with however, he stressed that these are draft and subject to revisions. The goal is to provide the Plenary Group with a look at the current drafts of the Study Plans so they can begin their review. Abstracts for the Study Plans are also being developed to distribute to the Plenary Group and will include a Study Plan Status section.

Rick Sitts, representing MWD, was concerned with identifying the critical path studies and the ability to show linkages between studies. Wayne reported that he is working on material to better identify the critical path studies for the Plenary Group package.

Rick Sitts asked for a ballpark estimate of costs associated with these studies. Wayne stated that developing the study plans and costs is an ongoing process and it is premature to identify costs until the details of the studies are worked out. Steve Ford agreed and added that DWR would prefer to focus on identifying the study needs. Ron Davis expressed concern that studies would begin before the public was provided details of the tasks. Steve Ford responded that the goal is to have the Work Group develop and final the study details between now and March when the study plans are to be submitted to FERC.

Craig Jones stated that more work was needed to better describe (1) the interface between the study plans coming out of different Work Groups to reduce the likelihood of duplication of effort; (2) the nexus of each plan to project operations; and (3) the justification for any documentation of pre-project conditions. Rick Sitts suggested that the evaluation of pre-project conditions could mislead people expect mitigation unless we are very clear why some pre-project conditions are described in the Environmental Study Plans. Rick also requested that DWR (4) provide all Work Groups with an annotated bibliography of all available data; and (5) develop a uniform management data protocol and distribute it to all Work Groups so information can be distributed efficiently. Steve Ford stated that the preparers of the study plans and the Task Force have been working on the first three items. They will continue to do. He recognized the need for the last two items as the plans become more detailed regarding the information they will produce.

Pat Porgans asked for clarification on project scope. Steve Ford responded that scope is an area where the Environmental Work Group needs further discussions, particularly with mandatory conditioning agencies.

The Facilitator also noted that a document is being prepared for the Plenary Group Study Plan Package that will identify which, if any, study plan an the individual issue or comment is addressed. The Plenary Group will be able to use the document to go directly to the study plan or abstract that deals with a specific issue.

## **STUDY PLANS**

Participants discussed draft study plans and suggested revisions. Where there was agreement, these revisions were to be made in the study plans prior to forwarding them to the Plenary. Otherwise the suggested revisions were forwarded to the Task Force for resolution. The following points were raised during the review:

## **GEOLOGY**

### G1

Craig Jones, representing the State Water Contractors, stated that a better explanation is needed in the introduction to describe why we are looking at pre-project conditions and why the study area extends 3-4 miles above the lake. Steve Edmondson, representing National Marine Fisheries Service, suggested that the studies are used to identify potential mitigation and enhancement actions. Wayne Dyok responded that this point was discussed in the Task Force meeting and the consulting team is working on better descriptions of the rationale for the use of pre-project assessments.

After spending a substantial amount of time on this first study plan, Steve Ford encouraged the participants to focus on 'heartburn' issues or changes that must be made before the Plenary Group meeting. He suggested the group defer the general tone/wording comments to a later date and focus on the substance of the study plans. Craig Jones agreed as long as they were also given clear direction as to what needed to be reviewed in order to manage their time in commenting on these documents. Sharon Stohrer was concerned with this approach and believed today was for making study plans as close to final as possible.

The participants decided that the meeting should be spent looking at what is being proposed conceptually to be sure no major issues have been skipped so the Plenary Group has some comfort with what the Environmental Work Group has done and how they generally anticipated approaching a particular issue. These Study Plans will not be final drafts. More detail task descriptions, justifications, and exact wording/tone will be worked out with the individual authors before March 2002.

### G2

Craig Jones asked that the distinction between enhancement and mitigation of this project be better explained in the introduction. Steve Edmondson suggested that we would never get to the end of this process if we try to determine what is enhancement and what is mitigation.

Mike Taylor, Plumas National Forest, stated that the purpose of all of these studies is to identify potential mitigation measure and questioned whether it really needed to be re-stated in each individual study plan. Wayne Dyok agreed that it might be appropriate to include that statement in a general introduction of the Study Plan package provided to the Plenary Group.

The geology Study Plans were forwarded to the Plenary Group for review.

## **WATER QUALITY**

Study plans *W1*, *W2*, *W3* and *W7* had no comments.

#### W5

Craig Jones stated that the introduction and objectives do not match. He also felt there is a need to delete the global information and make it more specific with a specific purpose and specific location. Steve Ford responded that those suggestions would be incorporated. Patrick Porgans asked if anyone had raised a concern about high water tables other than in the area immediately down slope of Thermalito wells. Steve Ford responded that he didn't know of any water table concerns other than with the pond levels.

#### W6

Steve Edmondson suggested deleting the first paragraph of page 2. Jerry Boles with DWR, agreed to modify the paragraph to make it less subjective, but keep the main point that the Project affects water temperature and water temperature affects resources. Steve Edmondson, Sharon Stohrer, and Jerry Boles agreed to get together to rewrite the introductory paragraph for this study plan.

Eric Theiss asked if there was an effect of groundwater seepage to downstream fisheries. Jerry Boles responded that there could be an effect but that is not something in the study plan at this point.

The water quality study plans were forwarded to the Plenary Group for review.

#### **TERRESTRIAL**

Steve Ford and the Facilitator reiterated that the objective for the meeting was to bring up only absolutely necessary changes at this point. This will help the group get through the study plans before they are forwarded to the Plenary Group. Due to time constraints, participants agreed to meet on December 3<sup>rd</sup> to discuss fisheries study plans not discussed at this meeting.

Participants expressed concern that some comments could change the scope of these plans. Participants agreed that over the next few months other ways of doing things may be discovered and could be incorporated into the studies, however the scope of the terrestrial plans were not expected to change. The purpose of the Plenary Group review is to take this snapshot of the plans and determine if they are off track now before too much more time is put into the details.

Study plans *T1*, *T6*, *T7*, *T9* and *T11* had no comments.

#### T2

Wayne Dyok reminded the group that there are on-going discussions with FWS and DFG as to what the study area is for endangered species. Mike Taylor had concerns that the group may be identifying an artificial boundary. Steve Ford responded that the biologist will be looking at adjacent lands as well as areas within the Project boundary and is not going to stop at the Project boundary just as the endangered species are not going to stop at Project boundaries. All agreed there should be some flexibility with the boundaries.

#### T4

Craig Jones suggested changing the title to Vegetative Cover and Wildlife Habitat. The participants agreed to change the title to 'Biodiversity, Vegetation Communities, and Wildlife Habitat Mapping'.

#### T8

Woody Elliott pointed out that State Parks manages for native species and therefore considers all non-native species undesirable, including DFG harvest species such as bullfrog, feral pig, wild turkey and cowbird. These harvest species are not included in the study plan list of species to be evaluated for potential adverse impacts. He stated that all of these species are non-native and all ought to be evaluated because recreation (tied to some of these species) is a component of the Project and these species are impacting the native species. Mike Taylor agreed that the Forest Service is not happy with bullfrogs. Steve Ford suggested that this discussion could become very lengthy here and he suggested the discussion be deferred to the Task Force. Mike Mainz of DFG agreed.

Steve Ford agreed that more work is needed to get the nexus tied down but essentially they are looking for how the Project is affecting the cowbird, which in turn is affecting the native species that bird watchers are watching. Tim Welch with FERC brought up that FERC does like the Project to provide recreational opportunities and FERC will look at what type of recreation is currently being used and to what extent it is utilized when it is considering the Project.

Wayne suggested that the group move these study plans forward and identify these issues in the introduction to the Plenary Group.

#### T10

Sharon Stohrer asked about other pesticide uses and indicated some of that information could be pulled from other water quality studies if it is available with those studies. The Facilitator stated that the Land Use Study Plan L2, Land Management Study, discusses pesticide use. Sharon Stohrer suggested that specific coordination activities should to be identified and described.

#### T3/5

Mike Mainz noticed the results and comments do not address what the reference might be as defined under Task 2.

#### T12

This study plan is not available for review at this time because it deals with cumulative effects, the topic of ongoing discussions with regulatory agencies. This plan is not a critical path study scheduled to begin in March.

The terrestrial study plans were forwarded to the Plenary Group for review.

### **FISHERIES**

The consulting team brought with them Study Plans F2, F3.1, F3.2, F4, F5, F8, F10, F15, F16, and F21 for distribution at the meeting. Since the plans were not completed in time to be distributed seven days before the Work Group meeting, participants were not expected to discuss them in detail at the Work Group meeting. Steve Ford asked participants to review the study plans over the next two weeks and provide comments to DWR. He also asked if the participants could continue the Work Group meeting on December 3<sup>rd</sup> to discuss the Fisheries Study Plans. Due to time constraints, the participants agreed to meet on December 3<sup>rd</sup> to review the Fisheries Study Plans. Participants unable to attend the December 3<sup>rd</sup> meeting were asked to please submit

comments by e-mail to Steve Ford at [sford@water.ca.gov](mailto:sford@water.ca.gov). Participants agreed to discuss one fisheries Study Plan to get a flavor for the direction these Study Plans are taking.

### F16

Paul Bratovich went through a brief description of Study Plan F16 as an example of the conceptual framework for the fisheries studies. Participants received a draft of the study plan and discussed additional information that would be needed. They discussed the desire to utilize existing information to maximize cost efficiency and the coordination needed, particularly with geology and water quality studies.

### **Next Meeting**

Steve Ford confirmed the Environmental Work Group would continue this meeting on December 3<sup>rd</sup> to discuss fisheries study plans. Task Force meetings were set for January as follows:

January 14, 2002 - Terrestrial  
January 15, 2002 – Water Quality/Geology  
January 16, 2002 – Fisheries

### **Agreements Made**

The Environmental Work Group agreed to forward draft study plans to the Plenary Group for review, with the understanding that these are draft and intended to provide a 'snap shot' of a suite of study plans, some of which may undergo significant revisions in the next several months.

### **Action Items**

The following list of action items identified by the Environmental Work Group includes a description of the action, the participant responsible for the action and due date.

<b>Action Item #E44</b>	Provide electronic copies of draft study plans to Environmental Work Group members.
<b>Responsible:</b>	DWR/consulting staff
<b>Due Date:</b>	January 7